

VILLAGE OF ORLAND PARK

14700 Ravinia Avenue
Orland Park, IL 60462
www.orlandpark.org



Meeting Minutes

Monday, May 15, 2017

6:00 PM

Village Hall

Development Services, Planning and Engineering Committee

*Chairman Kathleen M. Fenton
Trustees Patricia A. Gira and Daniel T. Calandriello
Village Clerk John C. Mehalek*

CALL TO ORDER/ROLL CALL

The meeting was called to order at 6:02 P.M.

Present: 3 - Chairman Fenton; Trustee Gira and Trustee Calandriello

APPROVAL OF MINUTES

2017-0372 Approval of the April 17, 2017 Development Services, Planning and Engineering Committee Minutes

I move to approve the Minutes of the Regular Meeting of the Development Services, Planning and Engineering Committee of April 17, 2017.

APPROVED

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

ITEMS FOR SEPARATE ACTION

2017-0219 Teas & Things Sip & Go Café - Special Use Permit

Assistant Director of Development Services Mike Kowski reported that according to the 2008 Residential Area Intensive Survey (RAI), the site's common name was Cracker Barrel Antiques but has also historically been known as Kruspe's Saloon. This is a mixed use building, with a first floor wing of commercial connected to a two story apartment building. The building was constructed in 1885, has historically been used as commercial, and is in good condition with medium integrity. The architectural style indicated in the RAI survey is "19th Century Commercial / Storefront." The wing of Kruspe's Saloon acted as a dance hall, drug store and gym at various points in time. Per Section 6-209 of the Land Development Code, this building is not recognized as a contributing structure to the Old Orland Historic District.

PROJECT DESCRIPTION & CONTEXT

The petitioner is proposing to operate a 900 square foot restaurant in the commercial wing of the 9911 W 143rd Street. The property is within the district's permitted commercial subarea. The restaurant is required to obtain a Special Use approval because they are within 300 feet of a residential parcel (Section 6-209.B.3). A restaurant is an allowable use in OOH as long as it is in accordance with the procedures and standards set forth in Section 5-105 of the Land Development Code.

The petitioner is not proposing any exterior work to the building or site (a Certificate of Appropriateness is not required). Surrounding uses include medical offices and retail tobacco, and the site is close in proximity to other restaurants (Irish Patriot). The proposed restaurant is compatible with these uses, and

conforms to the Village's Comprehensive Plan's vision for the area.

This petitioner has not requested any variances or modifications for this project. Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

Additional details about the project are discussed in the Plan Commission report, which is attached for reference.

PLAN COMMISSION MOTION

On May 9, 2017, the Plan Commission moved 7-0 to recommend to the Village Board of Trustees to approve a Special Use Permit for 9911 W. 143rd Place, Teas & Things Sip & Go Café, to operate a restaurant located within 300 feet of a residential parcel, subject to the following conditions:

1. Submit all necessary building permit applications with the correct address; and
2. Paint any and all mechanical equipment sky grey to blend them into the background.

PLAN COMMISSION DISCUSSION

At the Plan Commission a number of residents shared their concern regarding the operating hours for the business in relation to parking. A parking analysis was presented to the Plan Commission that demonstrated there was enough actual parking capacity in the Union Avenue commercial sub-area to accommodate the proposed tea shop. The tea shop will be a complimentary use to the other businesses in the area. It will operate from 8 a.m. to 4 p.m. The D'wan Hookah Lounge begins operations at 5 p.m. Residents were concerned about any overlap. The petitioner noted that "high tea time", which is the afternoon tea, is a reservation only affair and that space would be limited accordingly and could be managed.

A resident that lives directly behind the Hookah Lounge and the subject property noted that he was against granting the special use for the restaurant because of the potential for nuisances to his property (smells, noise etc.). The petitioner noted, however, that the unit they will occupy does not have any rear access to the property. Their use will not impact the rear yards of the subject site or the Hookah Lounge site.

Another resident discussed the appearance of Union Avenue and how it could benefit from streetscaping improvements. The petitioner noted that they will make changes to the exterior of the building via landscaping and minor site improvements (she noted fixing the sidewalks). Staff gave a brief history of the Union Avenue streetscaping project from 2006-2008. It was noted that streetscape plans with a few options had been developed by Hitchcock Design Group. At the time, area businesses expressed apprehension about how much

on-street parking would be eliminated implementing the streetscape improvements and how such an implementation would impact their operations.

In subsequent meetings over the years, area residents expressed their concern that overflow parking not happen on their residential streets. As a result, a residential permit parking program was implemented for Brook Avenue and 143rd Place and some segments of 144th Street.

This has resulted in a premium on the available on-street parking on Union Avenue and 143rd Place that has essentially precluded those plans from implementation. Staff noted we could look at the issue further in the future.

Trustee Gira asked if this shop was associated with the teas shop in Frankfort.

Assistant Director Kowski stated that is was a separate entity.

I move to recommend to the Village Board of Trustees to approve the special use permit for Teas & Things Sip & Go Café for a restaurant within 300 feet of a residential property at 9911 W. 143rd Place as recommended at the May 9, 2017 Plan Commission meeting and as indicated in the below fully referenced motion.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees to approve a Special Use Permit for 9911 W. 143rd Place, Teas & Things Sip & Go Café, to operate a restaurant located within 300 feet of a residential parcel, subject to the following conditions:

1. Submit all necessary building permit applications with the correct address; and
2. Paint any and all mechanical equipment sky grey to blend them into the background.

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2017-0172 Bluff Pointe Subdivision

Assistant Director of Development Services Mike Kowski reported that McNaughton Development proposes to develop a 49 lot single family subdivision with public streets and two out-lots for detention and flood plain, on a 26 acre site along the west side of Wolf Road just east of the existing Grasslands Subdivision. Access to the subdivision will be via the existing 171st Street stub to the west and from a new curb cut on Wolf Road, which is an IDOT major arterial road. The existing bike path stubbed at the north limits of Brook Hills Town Homes will be

extended through the proposed subdivision along Wolf Road.

Bluff Pointe is laid out in a grid pattern with three new stubs that extend to the north of the site for connection to future residential uses. The project site will be extensively re-graded to level out the site and bring the eastern-most lots well above the floodplain limits, shifting the floodplain line further east but maintaining the current capacity of the existing floodplain. There will be a noticeable drop in elevation from the west side (typical home finished floor 720) to the east side of the site (typical finished floor 695); with most of the 49 lots having potential for basement walk-out or look-outs.

The property was a part of the 1994 Spring Creek Agreement, and the Village is still bound by most provisions of that agreement. The project site is zoned as LSPD (Large Scaled Planned Development) District, which is the zoning district that embodies the provisions of the Spring Creek Agreement. A small .4 acre parcel included in the petition is zoned Open Lands District and will be utilized for detention which is a permitted use in that District. As a part of the detention facility, this parcel will be dedicated to the Village.

Although not a part of this petition, there are three platted lots in the Grasslands Subdivision that are currently in use for storm water detention. The Bluff Pointe storm water infrastructure could eliminate the need for this small detention pond, and the lots would then become developable subject to Village approvals. However the engineering of the storm water and any other needed updates must be verified and approved prior to issuance of permits on these already platted lots.

Overall the project conforms to the Village's Comprehensive Plan, Land Development Code, and policies for the area with the exception of the listed conditions and modifications.

PLAN COMMISSION DISCUSSION

A public hearing for the petition was held on May 9th where seven members of the public expressed concerns with the project. The petitioner's Engineer and the Village's consultant Engineer (CBBEL) were present and responded to the speakers.

Summary of speaker concerns:

- 1) Storm water and drainage: Under existing conditions the new subdivision would drain into their properties in some locations. The petitioner's engineer stated that the new subdivision after re-grading would be lower than the existing subdivision, with no Bluff Pointe storm water directed off site.
- 2) Sanitary sewer adequacy: The existing sanitary sewer in Brook Hills had overflow problems in the past and questioned adequate capacity for new

subdivision. Bluff Pointe's sanitary sewer will be connected to the existing Wolf Road sanitary extension that was constructed by the Village with capacity to accommodate the development of this parcel.

3) Wolf Road flooding: Wolf Road frequently floods and this may be worsened by the new subdivision, impeding access to the new subdivision for residents and emergency vehicles. The new subdivision's storm water will be detained by the proposed pond. Wolf Road flooding problems are an area wide issue related to the Marley Creek watershed and are well beyond the scope of this small subdivision. Wolf Road is an IDOT Road and improvements are subject to IDOT approval. The project engineers will consider local incremental improvements that may ease the existing condition, but the flooding is likely to persist.

4) Grasslands Park: A couple of residents questioned the lack of park in Bluff Pointe and felt the existing Grasslands Park is very small (3.2 acres) and not in good condition. The Spring Creek Agreement does not require park land dedication for the Bluff Pointe Subdivision. However park cash will be required per Code on a per lot basis.

5) Home price points and sizes: The proposal could have negative impacts on their property values. The petitioner stated that the new subdivision homes will range from 3,000-3,500 square feet and be priced in the \$600,000-\$700,000 price range.

6) An Attorney representing the three undeveloped Grasslands Subdivision lots stated that they would like to develop their lots, and that agreements had been made in the past assuring that the Bluff Pointe property would accommodate the existing detention pond storm water so the lots could be developed. The petitioner's engineer stated that McNaughton is interested in purchasing the lots, and able to accommodate the storm water, but only as a part of a purchase agreement.

PLAN COMMISSION MOTION

On May 9, 2017, Plan Commission voted 7-0 to recommend to the Village Board approval of the preliminary site plan titled 'Preliminary Site Plan' by Designtek Engineering, dated 2.23.17, revised 4.10.17, and as shown on the 'Preliminary Engineering Plan' by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

1) Submit a notarized letter of permission from the property owner to the north allowing off site grading on their property.

2) Prior to issuance of building permits, pay to the village \$21,008 in recapture fees for the Wolf Road sanitary interceptor extension.

- 3) Work with staff to resolve the Open Lands zoned out lot issue.
- 4) Work with staff to select a subdivision name more relevant to local geography.
- 5) Find alternative location for subdivision sign or eliminate. A sign permit must be obtained from the Building Division for any signage. Additional restrictions may apply.
- 6) Dedicate additional Wolf Road right of way totaling 60' from centerline.
- 7) Work with Village Engineers to shift pond away from south property line.
- 8) Work with Village Engineers to assess Wolf Road culvert condition.
- 9) Complete a Traffic Study that meets Village Engineer's requirements.
- 10) Construct the Wolf Road curb cut prior to site development (subject to IDOT approval) and then utilize it for all construction traffic access.
- 11) The development of the three already platted but undeveloped lots in The Grasslands is not part of this petition and requires separate consideration and approval.
- 12) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval, reflecting submitted Preliminary Landscape Plan and including the following items:
 - a. Address required tree mitigation as a part of the final Landscape Plan.
 - b. Provide a hydro-period analysis and maintenance and monitoring plan for pond.
 - c. Per Spring Creek Agreement, provide a minimum 15' landscape buffer on the rear of lots 37-49, to be installed by the home builder and protected by landscape easement shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.
 - d. Plant trees around the detention pond and along the rear slope abutting lots 31-36.
- 13) Site Plan building envelopes, setbacks, and easements are subject to final engineering and building approvals.
- 14) Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements.
- 15) Meet all final engineering and building division requirements and approvals.

And

Voted 7-0 to recommend to the Village Board approval of a 49 lot residential subdivision plus two detention pond/floodplain out lots and public street dedication, as shown on the preliminary plat titled 'Preliminary Site Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the same conditions as the Site Plan, and subject to the submission to the Village of a Record Plat of Subdivision for approval and recording.

And

Voted 7-0 to recommend to the Village Board approval of a Special Use Permit for a wetland modification and a special use permit for a waterbody (floodplain) modification subject to the same conditions as outlined in the preliminary site plan motion. Modifications to the Special Use permit include:

- 1) Reduction of existing 50' wetland setback.
- 2) Reduction of existing 50' floodplain setback.
- 3) Reduction of the 15' wide detention pond access buffer.
- 4) Increase in pond side slopes from 4:1 slope to 3:1 slope.

Trustee Gira asked how far off Wolf Road the walking path would be.

Assistant Director Kowski stated that it is currently setup now to be outside of any area that may be part of an expansion in the future. He stated that it sits outside of any future right of way lines.

Trustee Gira mentioned flooding issue in that area and asked if the culverts could be dug out.

Assistant Director Kowski stated that as the project comes forward the water will be contained in a slow release detention pond. He stated the road itself is an IDOT issue.

I move to approve the site plan, subdivision, special use permit and modifications, for Bluff Pointe Subdivision located at 16900- 17100 Wolf Road as recommended at the May 9, 2017 Plan Commission meeting, and as fully referenced below.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board approval of the preliminary site plan titled 'Preliminary Site Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, and as shown on the 'Preliminary Engineering Plan by Designtek Engineering, dated 2.23.17, revised 4.10.17, subject to the following conditions. All changes must be made and conditions met prior to the Board meeting.

- 1) Submit a notarized letter of permission from the property owner to the north allowing off site grading on their property.

- 2) Prior to issuance of building permits, pay to the village \$21,008 in recapture fees for the Wolf Road sanitary interceptor extension.
- 3) Work with staff to resolve the Open Lands zoned out lot issue.
- 4) Work with staff to select a subdivision name more relevant to local geography.
- 5) Find alternative location for subdivision sign or eliminate. A sign permit must be obtained from the Building Division for any signage. Additional restrictions may apply.
- 6) Dedicate additional Wolf Road right of way totaling 60' from centerline.
- 7) Work with Village Engineers to shift pond away from south property line.
- 8) Work with Village Engineers to assess Wolf Road culvert condition.
- 9) Complete a Traffic Study that meets Village Engineer's requirements.
- 10) Construct the Wolf Road curb cut prior to site development (subject to IDOT approval) and then utilize it for all construction traffic access.
- 11) The development of the three already platted but undeveloped lots in The Grasslands is not part of this petition and requires separate consideration and approval.
- 12) Submit a Final Landscape Plan, meeting all Village Codes, for separate review and approval, within 60 days of final engineering approval, reflecting submitted Preliminary Landscape Plan and including the following items:
 - a. Address required tree mitigation as a part of the final Landscape Plan.
 - b. Provide a hydro-period analysis and maintenance and monitoring plan for pond.
 - c. Per Spring Creek Agreement, provide a minimum 15' landscape buffer on the rear of lots 37-49, to be installed by the home builder and protected by landscape easement shown on the Final Plat. Plant material must be carefully coordinated with any rear lot drainage swales and other grading.
 - d. Plant trees around the detention pond and along the rear slope abutting lots 31-36.
- 13) Site Plan building envelopes, setbacks, and easements are subject to final engineering and building approvals.
- 14) Retaining walls are not to exceed 3' in height unless they are designed and tiered per Code requirements.

15) Meet all final engineering and building division requirements and approvals.

And

I move to recommend to the Village Board approval of a 49 lot residential subdivision plus two detention pond/floodplain out lots and public street dedication, as shown on the preliminary plat titled 'Preliminary Site Plan by Designtek Engineering', dated 2.23.17, revised 4.10.17, subject to the same conditions as the Site Plan, and subject to the submission to the Village of a Record Plat of Subdivision for approval and recording.

And

I move to recommend to the Village Board approval of a special use permit for a wetland modification and a special use permit for a waterbody (floodplain) modification subject to the same conditions as outlined in the preliminary site plan motion. Modifications to the Special Use permit include:

- 1) Reduction of existing 50' wetland setback.
- 2) Reduction of existing 50' floodplain setback.
- 3) Reduction of the 15' wide detention pond access buffer.
- 4) Increase in pond side slopes from 4:1 slope to 3:1 slope.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2016-0865 LaGrange Retail Development - Planned Unit Development

Assistant Director of Development Services Mike Kowski reported that there are two (2) parcels that comprise the subject site/ project area. While both existing parcels are currently owned by the petitioner (Location Finders Inc.), the south parcel adjacent to Lakeview Plaza was formerly the US Army's Area Maintenance and Support Facility. The south parcel currently has seven (7) to eight (8) buildings that remain on site. These buildings will be demolished as part of this project. The petitioner has worked with the US Army to acquire this property and has diligently pursued improvements at other regional US Army installations in order to acquire this property and develop it per US Army policy.

The south parcel is currently unincorporated and must be annexed into the Village jurisdiction. The Orland Park Comprehensive Plan notes that this property shall be annexed upon redevelopment. As a result, the former US Army base site has remained unincorporated and unchanged since at least the end of the Cold War.

PROJECT DESCRIPTION & CONTEXT

The petitioner proposes to establish a six (6) lot commercial planned unit development (PUD) on the two existing parcels. The proposed PUD will enable retail and restaurant uses on out-lots along the LaGrange Road frontage. Larger retail uses (in a so-called “junior big box”) are planned at the rear of the subject site as anchors.

A jurisdictional wetland is currently located near the northwestern areas of the property. The petitioner proposes to remove up to half of the wetland entirely and mitigate according to US Army Corps of Engineers’ standards. The removal of the wetland will allow the site to establish cross-access and shared parking fields for this development. Cross-access within major commercial corridors is critical to improve traffic movement and circulation between developments and within the corridor. The proposed layout anticipates the location of future commercial development along 156th Street to the north and its driveways are set up so that cross-access may be enabled across multiple sites in this area of the highly trafficked LaGrange Road corridor.

The petitioner proposes the PUD to have four (4) buildings on the six (6) lots. The development of two (2) of the out-lots is proposed with this petition. The land uses will be restaurants: Chuy’s Mexican Restaurant (Lot 1) and Miller’s Alehouse (Lot 2). The third southern out-lot is proposed as “pad-ready” and may have either a restaurant or retail land use (Lot 3). Lastly, the retail anchor building (junior big box) at the rear of the site is speculative at this time, demonstrating the square footage anticipated (Lot 4). No users are identified at this time for that building.

This petitioner requests the following modifications:

1. Reduce the rear setback from 30 feet to 24 feet;
2. Reduce the wetland setback from 50 feet to zero feet; and
3. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

The recommendation motion includes the following substantive conditions:

1. Maintain shared parking and cross-access for all and through all parking fields within the planned unit development between users;
2. Replace the sidewalk configuration along 156th Street with an eight (8) foot wide multi-use path that connects to the intersection corner and the multi-use path on the east side of LaGrange Road;
3. Dedicate the necessary public right-of-way north of Chuy’s Restaurant to complete the 156th Street right-of-way for the multi-use path;
4. Provide landscape screening along the blank wall elevations of Chuy’s west elevation;
5. Indicate window transparency on the elevation drawings for Miller’s Alehouse;
6. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;

7. Provide the necessary mitigation for the removal of the wetlands and trees per US Army Corps of Engineering standards and the Land Development Code respectively;
8. Move Lot 4's west lot line west ten (10) feet to accommodate Type 1 bufferyard requirements for the portion directly behind the retail anchor building;

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

Additional details about the project are discussed in the Plan Commission report, which is attached for reference.

PLAN COMMISSION MOTION

On May 9, 2017, the Plan commission moved 7-0 to recommend to the Village Board of Trustees to approve the preliminary site plan titled "Retail Development SWC LaGrange Road and 156th Street Orland Park, IL. Site Plan", prepared by Soos & Associates Inc., dated 10/27/2008, last revised 4/11/17, sheet number SP-47A, subject to the following conditions:

1. Maintain shared parking and cross-access for all and through all parking fields within the planned unit development between users;
2. Replace the sidewalk configuration along 156th Street with an eight (8) foot wide multi-use path that connects to the intersection corner and the multi-use path on the east side of LaGrange Road;
3. Dedicate the necessary public right-of-way north of Chuy's Restaurant to complete the 156th Street right-of-way for the multi-use path;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve the elevation drawings titled "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Proposed Exterior Elevations", prepared by Soos & Associates Inc., dated 9/19/2016, last revised 2/15/17, sheet number A-07; and "Chuy's Orland Park, IL.", prepared by Parkway C&A, LP, dated 4/4/17, sheet number A-01; and "Miller's Alehouse Orland Park Elevations Revised", prepared by FRCH Design Worldwide, dated 4/12/17, sheet numbers 2, 3 and 4; and "Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Site Amenities", prepared by Soos & Associates Inc., dated 10/27/08, last revised 4/25/17, sheet number A-10, all subject to the following conditions:

1. Provide landscape screening along the blank wall elevations of Chuy's west elevation;
2. Indicate window transparency on the elevation drawings for Miller's Alehouse;
3. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;

4. Screen all mechanical equipment either at grade level with landscaping or hidden behind parapets;
5. Submit separate sign permit applications for review of signage;
6. Anchored masonry veneer shall have a minimum thickness of 2.625 inches;

And

Moved 7-0 to recommend to the Village of Trustees to approve the preliminary landscape plan titled "Retail Development Overall Landscape Plan", prepared by Kimley-Horn and Associates, Inc., dated 2/16/17, last revised 4/26/17, sheets L2.0, L2.1, L2.2, L2.3, L2.4, and L2.5, subject to the same conditions outlined in the above preliminary site plan and elevation drawings motions and the following:

1. Provide the necessary mitigation for the removal of the wetlands and trees per US Army Corps of Engineers' standards and the Land Development Code respectively;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve, upon annexation, the rezoning of the subject property from E-1 Estate Residential District to COR Mixed Use District subject to the same conditions outlined in the above preliminary site plan motion;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve upon annexation of a six (6) lot subdivision as shown on the preliminary plat of subdivision titled "Preliminary Plat of Subdivision LaGrange Retail Development", prepared by Spaceco Inc., dated 2/17/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Move Lot 4's west lot line west ten (10) feet to accommodate Type 1 bufferyard requirements for the portion directly behind the retail anchor building;
2. Include Lots 5 and 6 in the drainage easement notes on Lots 5 and 6;
3. Remove the words "to be" in the right-of-way dedication notes and change the word "dedicated" to "conveyed" in the Village of Orland Park right-of-way note; and
4. Submit a Record Plat of Subdivision to the Village for recording;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve upon annexation the Special Use Permit for 15610 S. LaGrange Road, LaGrange Retail Development by LFI, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the rear setback from 30 feet to 24 feet;
2. Reduce the wetland setback from 50 feet to zero feet; and
3. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

PLAN COMMISSION DISCUSSION

The Plan Commission thanked the developer for his tenacity to pursue the US Army base site for over six (6) years in order that this highly visible portion of LaGrange Road could finally be redeveloped to match the surrounding community with shopping and amenities.

The developer noted that he was in agreement with the various conditions and that he would work with the Village to resolve the Type 1 bufferyard issue along the West property. Resolution to the Type 1 bufferyard will eliminate the rear setback modification.

Chairman Fenton commented that this is an excellent use of the property and that it will also spur the rest of the development on that side of the street.

I move to recommend to the Village Board of Trustees to approve the site plan, elevations, preliminary landscape plan, rezoning, preliminary plat of subdivision, and special use permit upon annexation for the LaGrange Retail Development Planned Unit Development at 15610 LaGrange Road as recommended at the May 9, 2017 Plan Commission meeting and as indicated in the below fully referenced motion.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees to approve upon annexation the preliminary site plan titled "Retail Development SWC LaGrange Road and 156th Street Orland Park, IL. Site Plan", prepared by Soos & Associates Inc., dated 10/27/2008, last revised 4/11/17, sheet number SP-47A, subject to the following conditions:

1. Maintain shared parking and cross-access for all and through all parking fields within the planned unit development between users;
2. Replace the sidewalk configuration along 156th Street with an eight (8) foot wide multi-use path that connects to the intersection corner and the multi-use path on the east side of LaGrange Road;
3. Dedicate the necessary public right-of-way north of Chuy's Restaurant to complete the 156th Street right-of-way for the multi-use path;

And

I move to recommend to the Village Board of Trustees to approve upon annexation the elevation drawings titled "Retail Development SWC LaGrange

Road & 156th Street Orland Park, IL. Proposed Exterior Elevations”, prepared by Soos & Associates Inc., dated 9/19/2016, last revised 2/15/17, sheet number A-07; and “Chuy’s Orland Park, IL.”, prepared by Parkway C&A, LP, dated 4/4/17, sheet number A-01; and “Miller’s Alehouse Orland Park Elevations Revised”, prepared by FRCH Design Worldwide, dated 4/12/17, sheet numbers 2, 3 and 4; and “Retail Development SWC LaGrange Road & 156th Street Orland Park, IL. Site Amenities”, prepared by Soos & Associates Inc., dated 10/27/08, last revised 4/25/17, sheet number A-10, all subject to the following conditions:

1. Provide landscape screening along the blank wall elevations of Chuy’s west elevation;
2. Indicate window transparency on the elevation drawings for Miller’s Alehouse;
3. Work with staff to address the blank wall surface areas on the east and south elevations visible from LaGrange Road;
4. Screen all mechanical equipment either at grade level with landscaping or hidden behind parapets;
5. Submit separate sign permit applications for review of signage;
6. Anchored masonry veneer shall have a minimum thickness of 2.625 inches;

And

I move to recommend to the Village of Trustees to approve upon annexation the preliminary landscape plan titled “Retail Development Overall Landscape Plan”, prepared by Kimley-Horn and Associates, Inc., dated 2/16/17, last revised 4/26/17, sheets L2.0, L2.1, L2.2, L2.3, L2.4, and L2.5, subject to the same conditions outlined in the above preliminary site plan and elevation drawings motions and the following:

1. Provide the necessary mitigation for the removal of the wetlands and trees per US Army Corps of Engineers’ standards and the Land Development Code respectively;

And

I move to recommend to the Village Board of Trustees to approve upon annexation the rezoning of the subject property from E-1 Estate Residential District to COR Mixed Use District subject to the same conditions outlined in the above preliminary site plan motion;

And

I move to recommend to the Village Board of Trustees to approve upon annexation of a six (6) lot subdivision as shown on the preliminary plat of subdivision titled “Preliminary Plat of Subdivision LaGrange Retail Development”, prepared by Spaceco Inc., dated 2/17/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject

to the following condition:

1. Move Lot 4's west lot line west ten (10) feet to accommodate Type 1 bufferyard requirements for the portion directly behind the retail anchor building;
2. Include Lots 5 and 6 in the drainage easement notes on Lots 5 and 6;
3. Remove the words "to be" in the right-of-way dedication notes and change the word "dedicated" to "conveyed" in the Village of Orland Park right-of-way note; and
4. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to recommend to the Village Board of Trustees to approve upon annexation the Special Use Permit for 15610 S. LaGrange Road, LaGrange Retail Development by LFI, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the rear setback from 30 feet to 24 feet;
2. Reduce the wetland setback from 50 feet to zero feet; and
3. Meet site detention requirements offsite in the regional detention facility along Ravinia Avenue.

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2017-0173 Freddy's Frozen Custard and Steakburgers - Special Use

Assistant Director of Development Services Mike Kowski reported that the 7420 W. 159th Street Planned Unit Development was approved in 2015 as a five lot commercial subdivision (with one lot as a detention pond). Since then Heartis Senior Living has occupied Lot 3 of the PUD and Avis Rent-A-Car has occupied the east portion of Lot 2. The PUD always understood that the lots fronting 159th Street (Lots 1 and 2) were going to have two or more uses. However, it originally contemplated two lots each with two uses. The developer, in working with this petitioner, has determined that the PUD would function better with four separate lots fronting 159th Street versus two.

Freddy's Frozen Custard and Steakburger will locate on the portion of Lot 1 currently occupied by the temporary facility for Avis Rent-A-Car. Avis will move to its permanent Lot 2 facility once construction is complete in Summer 2017. It is anticipated that Freddy's will commence construction following Avis's move.

PROJECT DESCRIPTION & CONTEXT

The petitioner proposes to construct and maintain a new restaurant on the east

portion of Lot 1 across the drive-aisle and adjacent to Wendy's. Lot 1 is currently pad ready and graded. The proposed restaurant will include a drive-through facility and a parking field.

The petitioner requests the following modification:

- 1) Reduce the width of the Type 1 north bufferyard from ten (10) feet to one (1) foot.

The recommendation motion includes the following conditions:

1. Coordinate with Goodwill to provide appropriate landscaping at the said interior intersection southwest corner;
2. Submit a Record Plat of Subdivision to the Village for recording;
3. Coordinate with Goodwill regarding the appropriate pedestrian connection along the perimeter of the interior access lane intersection southwest corner (at the northeast corner of the subject site);
4. Provide a crosswalk that links the sidewalk at the said interior intersection southwest corner to the opposite corner east of the existing shared access drive;
5. Install a "No Parking - Loading Zone" sign at either end of the parking bay immediately adjacent to the main entrance of the restaurant. The signs shall point inwards at each other and will prohibit parking during loading hours from 4 a.m. to 8 a.m.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

Additional details about the project are discussed in the Plan Commission report, which is attached for reference.

PLAN COMMISSION MOTION

On May 9, 2017, the Plan Commission, moved 7-0 to recommend to the Village Board of Trustees to approve the preliminary site plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Preliminary Site Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheet PSP-5, subject to the following conditions:

1. Coordinate with Goodwill regarding the appropriate pedestrian connection along the perimeter of the interior access lane intersection southwest corner (at the northeast corner of the subject site);
2. Provide a crosswalk that links the sidewalk at the said interior intersection southwest corner to the opposite corner east of the existing shared access drive;
3. Install a "No Parking - Loading Zone" sign at either end of the parking bay immediately adjacent to the main entrance of the restaurant. The signs shall point inwards at each other and will prohibit parking during loading hours from 4 a.m. to

8 a.m.;

4. Meet all final engineering and building code related items;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve the elevation drawings titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Exterior Elevations", prepared by Dan Winter Architect, dated 5/4/2017, sheets A3, A4, and SA2, subject to the following conditions:

1. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;
2. Masonry must be of anchored veneer type with a minimum thickness of 2.625 inches;
3. Signs are subject to additional review and approval via the sign permitting process;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve the preliminary plat of subdivision titled "GW Property First Resubdivision Orland Park, Illinois Final Plat of First Resubdivision", prepared by Manhard Consulting Ltd., dated 10/7/2016, last revised 4/26/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording;

And

Moved 7-0 to recommend to the Village Board of Trustees to approve the preliminary landscape plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Landscape Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheets L1.0 and L2.0, subject to the following condition:

1. Coordinate with Goodwill to provide appropriate landscaping at the said interior intersection southwest corner.

And

Moved 7-0 to recommend to the Village Board of Trustees to approve a Special Use Permit for Freddy's Frozen Custard and Steakburger, a restaurant with a drive-through facility, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the width of the Type 1 north bufferyard from ten (10) feet to one (1)

foot.

PLAN COMMISSION DISCUSSION

At the Plan Commission meeting, a resident spoke to the fact that the drive-through lane of the proposed restaurant faces due south. The headlights from cars at the drive-through window would shine directly into the windows of the multi-family homes across 159th Street in Tinley Park.

Staff noted that there is a landscape bufferyard at the south end of the drive-through lane that will have various plantings that can screen the glare of the headlights. Nevertheless, staff noted that the issue would be addressed with robust landscaping of various height as an adjustment to the preliminary landscape plan. Plan Commission thought this was reasonable.

I move to recommend to the Village Board of Trustees to approve the site plan, elevations, preliminary plat of subdivision, preliminary landscape plan and special use permit for Freddy's Frozen Custard and Steakburgers restaurant at 7402 W. 159th Street as recommended at the May 9, 2017 Plan Commission meeting and as indicated in the below fully referenced motion.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board of Trustees to approve the preliminary site plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Preliminary Site Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheet PSP-5, subject to the following conditions:

1. Coordinate with Goodwill regarding the appropriate pedestrian connection along the perimeter of the interior access lane intersection southwest corner (at the northeast corner of the subject site);
2. Provide a crosswalk that links the sidewalk at the said interior intersection southwest corner to the opposite corner east of the existing shared access drive;
3. Install a "No Parking - Loading Zone" sign at either end of the parking bay immediately adjacent to the main entrance of the restaurant. The signs shall point inwards at each other and will prohibit parking during loading hours from 4 a.m. to 8 a.m.;
4. Meet all final engineering and building code related items;

And

I move to recommend to the Village Board of Trustees to approve the elevation drawings titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Exterior Elevations", prepared by Dan Winter Architect, dated 5/4/2017, sheets A3, A4, and SA2, subject to the following conditions:

1. Screen all mechanical equipment either at grade or at rooftop with landscaping or parapets respectively;

2. Masonry must be of anchored veneer type with a minimum thickness of 2.625 inches;
3. Signs are subject to additional review and approval via the sign permitting process;

And

I move to recommend to the Village Board of Trustees to approve the preliminary plat of subdivision titled "GW Property First Resubdivision Orland Park, Illinois Final Plat of First Resubdivision", prepared by Manhard Consulting Ltd., dated 10/7/2016, last revised 4/26/17, sheets 1 of 3, 2 of 3, and 3 of 3, subject to the following condition:

1. Submit a Record Plat of Subdivision to the Village for recording;

And

I move to recommend to the Village Board of Trustees to approve the preliminary landscape plan titled "Freddy's Frozen Custard 7402 W. 159th Street Orland Park, Illinois Landscape Plan", prepared by Kimley Horn, dated 3/3/2017, last revised 4/26/2017, sheets L1.0 and L2.0, subject to the following condition:

1. Coordinate with Goodwill to provide appropriate landscaping at the said interior intersection southwest corner.

And

I move to recommend to the Village Board of Trustees to approve a Special Use Permit for Freddy's Frozen Custard and Steakburger, a restaurant with a drive-through facility, subject to the same conditions as outlined in the Preliminary Site Plan motion. Modifications to the Special Use permit include:

1. Reduce the width of the Type 1 north bufferyard from ten (10) feet to one (1) foot.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2017-0124 Gateway Plaza - 14301 LaGrange Road

Assistant Director of Development Services Mike Kowski reported that the petitioner proposes to develop Lot 2 of the Marquette Bank Subdivision into a single story 10,500 SF multi-tenant commercial building. Currently there are restaurants proposed on the north and south sides of the building with a retail tenant in between. Both commercial retail and restaurant uses are listed as appropriate uses in the Downtown Mixed Use land use designation from the Comprehensive Plan.

The site is located on SEC of 143rd Street and LaGrange Road. The proposed building design is intended to resemble the size and scale of a two story building. The increased building height will help match the character and scale of the recently constructed buildings in Downtown Orland Park, in particular the newly constructed four story University of Chicago Medical Center located on the NWC of 143rd Street and LaGrange Road.

In addition, the petitioner made an effort to incorporate the existing Village Streetscape at this intersection into their proposed development. This comes in the form of enhanced outdoor seating areas and pedestrian connections that lead into the proposed development. These features, as well as, the design of the building are in line with the design criteria listed in the Comprehensive Plan.

The following variances were requested as part of this petition:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches

The recommendation motion includes the following unique conditions:

- 1) Continue to work with staff for landscape plan approval;
- 2) Meet all final engineering and building code related items;
- 3) Provide specification for parking lot lighting;
- 4) Provide revised elevations that show amount of window transparency.

Overall, the project conforms to the Village's Comprehensive Plan, Land Development Codes and policies for this area.

SITE PLAN

The building is being positioned on the hard corner (southeast) at 143rd Street and LaGrange Road. This development will be a highly visible commercial location and will serve as a gateway to Downtown Orland Park and the LaGrange Road commercial corridor. The development is also located on a diagonal from the

newly constructed University of Chicago Medical Office. As such, the site is being configured to conform to the design criteria outlined in the Comprehensive plan. Specifically, the petitioner is responding to the following design considerations:

Require zero lot line and/or minimum setback from right of way.

The site is being located as close as possible to the existing right of way. The petitioner is requesting a variance for the building setback on the west property line. This will bring the building closer to the right of way and allow the site to better interact with the existing streetscape.

The petitioner is requesting a variance to locate the building closer to the right of way on the south side of the building. This allows for a larger outdoor seating area on the north side of the property and brings the south building line closer to the 143rd Place right of way.

Minimize parking visibility

All parking for this development will be located at the rear of the property. The perimeter of the site is currently fenced. In addition, the bufferyards will be heavily landscaped to limit the visibility of the parking lot from the street.

The design criteria also rely heavily on improving the pedestrian experience. The petitioner proposes to incorporate the existing streetscape features at the intersection into their new development. This will come in the form of brick paver connections that lead from the right of way to the three separate tenant spaces. Two connections are proposed along LaGrange Road, one leading to 143rd Street and one leading to the private access road adjacent to the southern property line. Generally, the site will transition from the existing Village streetscape to the proposed development. Aside from providing access, the front and side setback areas will be used primarily for outdoor seating and landscaping.

Lighting is proposed for the site. The petitioner must submit specifications for the proposed lighting to ensure it meets Village Center District standards.

The petitioner worked diligently throughout the process to ensure the pedestrian realm was accounted for and their efforts have created a more attractive and accessible site.

The site is compliant with parking, accessible parking, aisle width and landscape island requirements. In some instances the petitioner provided aisle widths that were above the minimum requirement to ensure efficient traffic flow throughout the site.

MOBILITY

The petitioner is proposing two full access curb cuts as the primary access to the site. One will be located on the west side of the site and will open onto the adjacent private access road. The other will be on south end of the site and open onto 143rd Place, a private local street.

Pedestrian and Bicycle

Sidewalk currently surrounds the site and was installed as part of the work related to the Marquette Bank Subdivision. As stated above, the petitioner will be making sidewalk connections from their development to existing sidewalk along 143rd Street, LaGrange Road, and 143rd Place

Parking/Loading

Parking Required - 88

Parking Provided - 85

Parking does not meet existing code requirements however, the Land Development Code allows staff to determine if the proposed parking would be sufficient (Land Development Code Section 6.306.B.4) given shared parking opportunities in the area.

There are parking areas available to the east and south of the subject property. The property to the east would be the most likely to share spaces with the subject property given that the use is a financial institutions and the busiest hours between the developments are unlikely to conflict. In addition, the Village recently constructed a 546 space public parking deck across the street from this site that could be used if additional parking was required. Given the surrounding area the provided parking should be sufficient.

BUILDING ELEVATIONS

The petitioner designed the building to frame the corner and create an attractive façade that will face both 143rd Street and LaGrange Road. The focal point of the building design will be a 29 foot tall rotunda. The petitioner proposes the first 12 feet 6 inches of this feature to be constructed with storefront windows. The petitioner will add an EIFS band directly above that will separate the storefront from the clearstory windows. The rotunda will be capped with a decorative EIFS cornice. Internally, the dining area will frame the rotunda giving customers a view of downtown Orland Park, and create a very attractive dining experience.

Initially, the petitioner proposed a two story building. However, after working diligently to secure a second floor tenant it was determined by the developer that second floor office space was not feasible at this time and further pursuit of the second floor could harm the viability of the project as a whole. However, recognizing the importance of the building scale in this location the petitioner made every effort to ensure that the building resembles a two story building. Their

efforts should be recognized and the result better matches the character of the Downtown.

Generally, the building materials for the remaining elevations will be primarily brick and storefront windows with EIFS and metal paneling being used as accents.

North Elevation

The north elevation will consist of storefront windows that are framed with either metal panels or brick. The windows are proposed to be 10 feet tall. The elevation will also include an 8 foot wide EIFS band and the remaining height will be finished with metal panels on the east side and brick on the east.

South Elevation

The south elevation will be constructed primarily of brick. There will be storefront windows along the elevation however the doors at this location will be primarily used to access the outdoor seating area that is proposed adjacent to the building façade. Aside from the brick the petitioner proposes to add an EIFS signage band along this elevation.

East Elevation

The east elevation, although located in the rear of the site, given its location adjacent to the parking field will serve as the primary access point for the development. Storefront systems will be constructed along this elevation for each of the three tenants. Aside from the minor stone, EIFS and metal panel accents the primary building material will be brick.

A barbeque restaurant is proposed for the north end cap. The petitioner has proposed to locate the smokers for the restaurant on the outside of the building adjacent to the customer access for the restaurant. Food will not be prepared outside however wood will be loaded into the smoker from the exterior. The smokers are proposed in this location not necessarily only for functionality purposes but more so to attract people to their restaurant by creating a unique experience and furthering the restaurants marketing and branding objectives.

The smokers will be fenced to separate from the public for safety purposes. The site plan indicates that with the fencing the site will still maintain the required unobstructed sidewalk in front of the tenant space. Similar architectural features have been approved as part of development proposals in the past. For example, statues and murals were approved at P.F. Changs and the recent Twin Peaks appearance review.

West Elevation

The west elevation facing LaGrange Road will be designed to give the appearance that it is the front of the building although functionally this area of the building will be used primarily for back of house operations. The building materials

will match the other elevations and storefront windows will be installed. There are access doors at this location that can serve as access to the middle tenant space or as a service entrance. The petitioner must ensure that 35% of the windows on building facades facing a street must remain transparent. The petitioner shall provide a plan that shows the percentage window transparency prior to the Development Services Committee meeting.

LANDSCAPING/TREE MITIGATION

The petitioner has already submitted a preliminary landscape plan. A revised landscape plan was included in the plan commission packet but is still under review by the planning division. Landscape plans are not typically submitted until after Village Board approval. The petitioner will continue to work with Village staff to resolve any outstanding issues.

DETAILED PLANNING DISCUSSION

Natural Features

There are no natural features on site; the petitioner will be required to meet final landscape plan requirements.

Preliminary Engineering

Preliminary engineering has been granted for this project.

Utilities - There are some utility connection modifications required to service the new building. Utilities are present and available for redevelopment.

Detention/Retention - The site is within the service area of a detention pond previously approved by the MWRD through the Marquette Bank Subdivision. The volume necessary to accommodate the subject property's proposed development was already accounted for under this previous approval.

Three parking aisles will be constructed with permeable pavers. One aisle on the north end of the property, one on the far west side of the parking field, and the north side of the middle parking aisle will all be constructed in this fashion to meet the volume control requirements of the MWRD.

Traffic Study - A traffic study was not required for this project.

Subdivision

A subdivision is not required for this petition.

Special Use Permit

A special use permit is not required for the proposed uses.

Rezoning

No rezoning is proposed with this petition.

Variance(s)

Reduction of west front setback from 25 feet to 17 feet 1 inch

Reduction of south side setback from 15 feet to 11 feet 9 inches

Land Use/Compatibility

Lot Coverage

Maximum - 75%

Proposed - 69%

Lot Size

Minimum- 10,000 SF

Provided - 58,061 SF

Density/Floor Area Ratio (F.A.R)

Maximum - 1.0

Proposed - .18

Setbacks

143rd Street

Required - 15'

Provided - 16' 3"

LaGrange Road

Required - 25'

Proposed - 17' 1"

South Side Yard:

Required - 15'

Proposed - 11' 9"

Rear Yard:

Required - 30'

Proposed - 220' (approx.)

Parking:

Required - 10'

Proposed - 10'

Building Height

Maximum - 55'

Proposed - 29'

Parking and Loading
Required - 88
Proposed - 85

Accessory Structures

Garbage Enclosure- The garbage enclosure is being proposed on the south east side of the site. The single enclosure will be made to accommodate all users and will be constructed of masonry to match the building materials. The garbage enclosure is being proposed adjacent to an existing drive aisle. The petitioner will design the swing of the gate/doors to the garbage enclosure do not interfere with traffic along this drive aisle. Also, the enclosure shall be screened by landscaping from the adjacent right of way.

Mechanicals/Utility Conduits

All mechanical equipment must be screened, either at grade level with landscaping or hidden behind the roofline. Exterior roof ladders are not permitted and should be located interior to the building.

There is an existing electrical transformer that is located on the northwest corner of the site. The transformer must be adequately screened from public view. The petitioner proposes to accomplish this by screening the transformer with an adjacent retaining wall that will support the outdoor seating for the north tenant space. The other sides of the transformer will be screened by landscaping.

Signage

Signage is not part of this petition and should be submitted for separate review to the Building Division.

This is now before Plan Commission for consideration.

PLAN COMMISSION DISCUSSION

On May 9, 2017 Plan Commission held a public hearing for the Gateway Plaza petition where two residents expressed concerns about the project. The two owners of the property, Ramzi Hassan of Edwards Realty, and Mitch Goltz of GW properties were present and responded to the residents.

Summary of speaker concerns:

1) Variances: One resident expressed concern that the petitioners' were requesting the variances purely based on economic reasons. The petitioner responded by clarifying that the physical constraints were the justification for the requested variances. The petitioner reiterated the following site constraints: the site was previously subdivided; there were existing utilities and easements; and existing infrastructure limited the buildable area on the site.

The petitioner provided an example: The private access drive on the south of the

property was excluded from the subject property's parcel. The petitioner explained that the property could have been subdivided to include the access drive within the boundaries of the subject property, in which case south side setback variance would not have been necessary. The example illustrates how a pre-existing condition caused the need for the variance.

2) Two story building possibility: The other resident that spoke expressed concern that they were only proposing a 1 story building. He inquired whether the petitioner had investigated the possibility of a second story and asked if it was possible to add another story to the building. The petitioner responded that initially they proposed a two story concept. At the time they had a potential tenant for the second floor. After they petitioned the proposed second floor tenant decided not to move forward. After the petitioner's lost the initial tenant they began to contemplate building a second floor on speculation without out a proposed tenant. However, after discussion with multiple potential second floor users it was determined that a second floor was not financially feasible.

Specifically, the petitioner stated that there were issues with co-tenancy and parking. The parking area is constrained due to the size of the parcel. This not only causes concern for potential tenants due to the limited parking area, but also the site would not be able to meet the Land Development Code minimum parking requirement.

Several Plan Commissioners expressed a same concern about the number of stories on the building. The petitioners reiterated the responses above and continued to highlight the fact that the structure is designed to look like a two story building to achieve the massing desired.

PLAN COMMISSION MOTION

On May 9, 2017, the Plan Commission, by a vote of 5-2 moved to recommend to the Village Board approval of the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017, subject to the following conditions:

- 1) Continue to work with staff for landscape plan approval;
- 2) Meet all final engineering and building code related items;
- 3) Provide specification for parking lot lighting; and
- 4) Provide revised elevations that show amount of window transparency.

And

Voted 5-2 to recommend to the Village Board approval of the Elevations titled "Proposed Development 143rd & LaGrange," and dated May 1, 2017, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline; and
- 2) All masonry must be of anchored veneer type masonry with a 2.625" minimum

thickness; and

3) Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

and

Voted 5-2 to recommend to the Village Board approval of the following variances as depicted on the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches.

Assistant Director Kowski gave a brief overview of the project as stated above and plans which are attached to the Committee Packet.

Chairman Fenton asked what the lot size is.

Assistant Director Kowski stated that is 1.3 acres.

Michael Henry, a member of the audience asked if the project would have a liquor license.

Assistant Director Kowski stated that the liquor license would go through the mayor's office and that he has not heard if the mayor's office has been contacted regarding that matter.

Mr. Henry then commented that what is proposed is a beer garden on the corner of 143rd and LaGrange Road and asked if that's what the village wants is people drinking at one of the main entrances into down.

Chairman Fenton stated that the mayor's office is the only one that would determine if a liquor license was going to be issued.

Virginia Williams, a member of the audience asked if this is the same developer that built the University of Chicago buildings.

Assistant Director Kowski stated that they are different developers.

Ms. William stated that she is very upset about what is going on with these buildings. She went on to say that businesses that have been here for a long time are leaving because LaGrange Road has been torn apart for so long. She stated that she does not want to see another business so close to LaGrange Road. Ms. Williams commented that she just witnessed an accident where a man drove into a Shell gas station and asked what is going to happen if something like that were

to occur to the proposed development. She stated that she wants protection for the people of Orland Park and that many of her friends have moved from Orland due to the changes over the last nine years. Ms. Williams stated that the village needs to start reaching out to the residents and that things should not be pushed under the carpet from now on. She also commented that the school systems are going downhill as well.

Madelyn Flaherty, a member of the audience asked if there are any plans for rodent control with the proposed project and if there were also any plans for high end restaurants in Orland.

Assistant Director Kowski stated that it would be part of the code enforcement to control any potential rodents.

Interim Assistant Village Manager Karie Friling stated that the village is currently in discussions with two higher end restaurants. At this time she cannot disclose the names of the restaurants since they are still in negotiations with the deal terms.

Trustee Gira stated that this site is challenged and there is a parking issue that exists. She stated that the site was formally a gas station and the village needed right of way in order to widen the intersection. With that, the village was required to purchase the entire site due to state statute of damage of the remainder. Marquette Bank then acquired the property from the village. The village currently owns the edge around the property and she believes that it is a good plan. She asked to make sure there is adequate screening in the back.

Trustee Calandriello asked if there are any security issues to be concerned about with this property in regards to cars being so close to the property.

Chief Timothy McCarthy stated that there is a monument and fences on that corner that would make it safer.

Interim Assistant Manager Friling stated that the proposed building is set back farther than the University Chicago building.

Chairman Fenton replied to a comment regarding businesses leaving town. She stated that the Village of Orland Park has one of the lowest vacancy rates in the area of under 5%. She went on to say that the proposed building is a beautiful building when comparing to the gas station that used to be on the corner. Chairman Fenton commented that Orland Park is not going down the tubes and that there are no broken promises that were eluded to some of the resident in a robo call that went out. The Village of Orland Park codes have only changed in a way to up the standards of what is allowed. She stated that the village receives complaints quite often from developers stating that our codes are too strict.

Tom Dimatoplois, a member of the audience asked about the townhomes being rented around Mariano's. He asked if there is a plan for them to eventually be sold. He commented about crime around rentals, specifically a drug deal in the parking garage of the U of C building, and man running with a knife down the street around the Mariano's townhomes.

Interim Assistant Village Manager Friling stated that in the last five years there have been a total of less than 650 new rental units to be put in the Orland Park marketplace. She stated that that includes 295 units at the Ninety7Fifty building which is at 90% occupancy and exceeding rent rates. The other property being referred to is the Reva project which is a total of 231 units and is already close to 75% occupied. That occupancy rate is well above estimates and the average rates go all the way up to \$3,000 per month. She stated that that amount was more than her own mortgage and taxes that she pays in the Village of Orland Park. Interim Assistant Village Manager Friling suggested that there is not a problem with the rental market that has been added in the last 5 years.

Chief Timothy McCarthy commented on the crime situation brought up. He stated that he is not familiar with the knife situation referenced; however there was an issue with a knife at Sears where a disgruntled customer was not happy with the service and went after the service manager. Chief McCarthy stated that he meets with the people at Ninety7Fifty every year. The village has crime free rental housing which gives the village the ability to get disruptive people out, which they have done in the past. The same applies to Reva. He went on to say that the violent crime rate in Orland Park last year was lower than the previous year. There were a total of 26 violent crimes which was the lowest of any other community of the same size. In regards to retail thefts, those were up; however they are strictly directed at businesses. He commented that most of the aggravated assaults and batteries are related to domestics or loss prevention. Chief McCarthy stated that there have been three car thefts this year and that they are rarely from the mall. Most are happening from car lots or when people leave their keys in the car.

A member of the audience asked if there was any more security going in around the mall.

Chief McCarthy stated that more security cameras are being placed on May 19.

Trustee Calandriello commented that the village has some of the best school districts around according to statistics and studies.

I move to recommend to the Village Board approval of the preliminary site plan, elevations, and two variances, for Gateway Plaza located at 14301 S. LaGrange Road as recommended at the May 9, 2017 Plan Commission meeting , and as fully referenced below. The Plan Commission has made their findings in accordance with Section 5-109 of the Land Development Code.

THIS SECTION FOR REFERENCE ONLY (NOT NECESSARY TO BE READ)

I move to recommend to the Village Board approval of the preliminary site plan titled, "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017, subject to the following conditions:

- 1) Continue to work with staff for landscape plan approval;
- 2) Meet all final engineering and building code related items;
- 3) Provide specification for parking lot lighting; and
- 4) Provide revised elevations that show amount of window transparency.

And

I move to recommend to the Village Board approval of the elevations titled "Proposed Development 143rd & LaGrange," and dated May 1, 2017, subject to the following conditions. All changes must be made prior to the Board meeting.

- 1) Screen all mechanical equipment either at grade level with landscaping or hidden behind the roofline; and
- 2) The Petitioner shall provide 6 to 8 foot tall opaque, year-round screening of the external smokers and its accessories using arborvitae or equivalent.
- 3) All masonry must be of anchored veneer type masonry with a 2.625" minimum thickness; and
- 4) Signs are subject to additional review and approval via the sign permitting process and additional restrictions may apply.

And

I move to recommend to the Village Board approval of the following variances as depicted on the preliminary site plan titled "Site Plan Study 143rd and LaGrange Orland Park, Illinois," and dated May 1, 2017:

- 1) Reduction of the west front setback from 25 feet to 17 feet 1 inch; and
- 2) Reduction of the south side setback from 15 feet to 11 feet 9 inches.

And

The Plan Commission has made their findings in accordance with Section 5-109 of the Land Development Code

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2017-0370 Appraisal Services - MaRous & Company

Assistant Director of Development Services Mike Kowksi reported that the Village has received the proposal attached to the Committee Packet from Michael MaRous for appraisal services for properties located in Orland Park. The Village has utilized MaRous previously for various projects throughout the community. The scope is based on hours billed and direct costs.

I move to recommend to the Village Board of Trustees approval of the attached proposal from MaRous & Company for appraisal services for properties located in Orland Park.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

2017-0373 Madison Construction Revolving Loan Fund - Extension

Assistant Director of Development Services Mike Kowski reported that in March of 2011, the Village approved a Revolving Loan Fund request from Madison Construction in the amount of \$586,750.00 to fund substantial rehabilitation and renovation work for an existing building located at 15657 South 70th Court. The loan request represented 38% of the total project budget (property acquisition, rehabilitation and soft costs), and served to keep an existing successful company in Orland Park. Today, the building continues to serve as the Madison Construction headquarters.

Highlights of the existing agreement include:

Original Loan Amount: \$596,750.00

Interest Rate: 1.625%

Terms: 5 year balloon; 25 year amortization

Monthly Payment Amount: \$2,381.24

Start Date: July 7, 2012

Final Payment Date: June 7, 2017

A copy of the 2011 Staff Report is attached, which comprehensively presents the key agreement terms and other background information.

At this time, Madison Construction is requesting a 6-month extension, which will move the Final Payment Date from June 7, 2017 to December 7, 2017. This request will allow the business to facilitate their continued commitment to the Orland Park area and to their headquarters. The Village has reviewed the

business's current financials (2014, 2015 and 2016), and based upon the information provided and our general analysis we do not see any significant concerns for extending the loan maturity date for a short time period.

Chairman Fenton stated that this is a business that decided to stay in Orland Park. The business has become a model for an environmentally friendly business.

I move to recommend to the Village Board to approve a 6-month extension to the Revolving Loan Fund agreement with Madison Construction and establish a new Final Payment Date of December 7, 2017.

A motion was made by Trustee Calandriello, seconded by Trustee Gira, that this matter be RECOMMENDED FOR APPROVAL to the Board of Trustees. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

ADJOURNMENT: 6:43 P.M.

A motion was made by Trustee Gira, seconded by Trustee Calandriello, that this matter be ADJOURNED. The motion carried by the following vote:

Aye: 3 - Chairman Fenton, Trustee Gira, and Trustee Calandriello

Nay: 0

/AS

Respectfully Submitted,

John C. Mehalek, Village Clerk